

FILED: February 6, 2023

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 23-1078 (L)
(2:21-cv-00316)

B.P.J., by her next friend and mother; HEATHER JACKSON

Plaintiffs - Appellants

v.

WEST VIRGINIA STATE BOARD OF EDUCATION; HARRISON COUNTY
BOARD OF EDUCATION; WEST VIRGINIA SECONDARY SCHOOL
ACTIVITIES COMMISSION; W. CLAYTON BURCH, in his official capacity as
State Superintendent; DORA STUTLER, in her official capacity as Harrison
County Superintendent

Defendants - Appellees

and

THE STATE OF WEST VIRGINIA; LAINEY ARMISTEAD

Intervenors - Appellees

No. 23-1130
(2:21-cv-00316)

B.P.J., by her next friend and mother; HEATHER JACKSON

Plaintiffs - Appellees

v.

WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION

Defendant - Appellant

and

WEST VIRGINIA STATE BOARD OF EDUCATION; HARRISON COUNTY BOARD OF EDUCATION; W. CLAYTON BURCH, in his official capacity as State Superintendent; DORA STUTLER, in her official capacity as Harrison County Superintendent

Defendants

THE STATE OF WEST VIRGINIA; LAINEY ARMISTEAD

Intervenors

O R D E R

The court consolidates Case No. 23-1078 (L) and Case No. 23-1130 as cross-appeals. The appellants in Case No. 23-1078 (L) shall be considered the appellants for purposes of the consolidated appeals and shall proceed first at briefing and at oral argument. Entry of appearance forms and disclosure statements filed by counsel and parties to the lead case are deemed filed in the secondary case.

For the Court--By Direction

/s/ Patricia S. Connor, Clerk